

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-cv-106-RJC**

KAREEM ABDULLAH KIRK-BEY,

Plaintiff,

Vs.

**ANDREW MURRAY,
STATE OF NORTH CAROLINA,**

Defendants.

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ORDER

THIS MATTER is before the Court on Plaintiff's motion to stop withdrawals of the filing fee from his inmate trust account. (Doc. No. 8). The Court will deny the motion.

On February 28, 2012, the Court dismissed the Complaint as barred under the principles set forth in Heck v. Humphrey, 512 U.S. 477 (1994). (Doc. No. 3). Regardless of the status of his case, Plaintiff remains obligated to pay the filing fee in full. "[I]f a prisoner brings a civil action . . . in forma pauperis, the prisoner shall be required to pay the full amount of [the] filing fee." 28 U.S.C. § 1915(b)(1). Plaintiff became obligated to pay the filing fee when he filed the Complaint in this case. The subsequent dismissal of the action does not absolve him of that obligation and § 1915 does not provide any authority for the Court to excuse Plaintiff from having to pay the filing fee in full.

IT IS, THEREFORE, ORDERED that Plaintiff's motion to stop withdrawals of the filing fee from his inmate trust account, (Doc. No. 8), is **DENIED**.

Signed: May 30, 2012

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

